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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|----------------------------|------------------------|
| 09/783,660 | 02/14/2001 | Peter M. Mansour | SPRODQ1100 | 9105 |
| 25763 7590 08/21/2007 DORSEY & WHITNEY LLP INTELLECTUAL PROPERTY DEPARTMENT SUITE 1500 50 SOUTH SIXTH STREET MINNEAPOLIS, MN 55402-1498 | | | EXAMINER CHANKONG, DOHM | |
| | | | ART UNIT 2152 | PAPER NUMBER |
| | | | MAIL DATE 08/21/2007 | DELIVERY MODE PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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|---|--------------------------------------|---------------------------------------|--|
| Advisory Action Before the Filing of an Appeal Brief | Application No. 09/783,660 | Applicant(s) MANSOUR ET AL. | |
| | Examiner Dohm Chankong | Art Unit 2152 | |

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 02 August 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper Not(s).
13. ☐ Other: _____.

BUNJO BARDENCHONWANIT
SUPERVISORY PATENT EXAMINER

8/19/17

Continuation of 11. does NOT place the application in condition for allowance because: Applicant's arguments have been carefully considered but are not persuasive. Applicant argues in substance: (1) Filepp and Campbell cannot be combined; (2) Filepp does not disclose the limitation of formatting a user interface based upon a number of device capabilities for said client device and Campbell does not resolve this alleged deficiency; and (3) Filepp and Campbell do not disclose a shadow cache.

With respect to (1), Applicant argue that modifying Filepp to include Campbell's teachings would increase the load on the server which is contrary to Filepp's fat-client system. Campbell does not expressly disclose that customization of user interfaces based on device characteristics would necessarily increase the processing load at the server nor does he disclose that this customization must take place at the server. Filepp expressly discloses customizing user interfaces by supplying page templates that can be filled in with predefined interface objects such that the generated page is specific to the customer [column 73 "lines 53-58"]; thus, while the interface objects are predefined, the user interface itself is personalized to each customer. It should be noted that Filepp is simply directed at retrieving items based on usage characteristics for assembly of the page template at the client device [column 27 "lines 25-29"].

What is being incorporated into Filepp then is merely Campbell's teaching of formatting the page based on objects specific to a device. Campbell does not disclose that this functionality is limited to execution at a server or a specific device. Therefore, modifying Filepp's invention to include customization capability based on device characteristics does not necessarily impact the purpose of Filepp's invention. That is, Campbell teaches the functionality of formatting an interface based on device characteristics but Campbell does not tie this functionality solely to a server or gateway. Since Filepp already discloses customizing page templates per customer, it would have been reasonable to incorporate additional customization abilities to enhance the personalization of the page to the customer.

With respect to (2), Applicant argues that Campbell does not disclose generating a user interface based upon device capabilities where the user interface contains a user interface form and controls, icons, labels, or menu items each being independently updateable. However, this was not the combination proposed by Examiner. Examiner relied upon Filepp to disclose a user interface with icons, labels, and menu items being independently updateable from one another. Examiner merely relied upon Campbell to teach formatting a user interface based on device characteristics [column 15 "lines 25-34" : interface formatted based on a PDA or PC]. Campbell was not relied upon to teach the other features argued by Applicant.

With respect to (3), Applicant argues the Filepp fails to disclose a shadow cache as disclosed in Applicant's specification or claims. The claim simply recites that the shadow cache includes a list of source data items transmitted from said UI server to said client. Thus, despite Applicant's recitation of the specification, the only limitations that define the scope of the shadow cache is that it is maintained by the server and that the shadow cache includes a list of source data items transmitted from the server. Filepp discloses these limitations. Filepp discloses that the cache/concentrators are maintained by the server and that they include a list of data items transmitted from the server to the client [column 8 "lines 2-8" where : requested objects from the file server are routed through and stored on the cache]. Examiner suggests incorporating functionality from Applicant's specification with respect to the shadow cache into the actual claim limitation in order to overcome the prior art references.

Based on the foregoing remarks, Applicant's arguments are not persuasive. The claim rejections set forth in the final rejection, filed 2/28/2007 are therefore maintained. .